

**Duty Statement  
California Government Operations Agency  
State of California**



|   |   |
|---|---|
| <b>Classification Title</b><br>Attorney IV              | <b>Division</b><br>General Counsel            |
| <b>Working Title</b><br>Assistant General Counsel - Tax | <b>Office/Unit/Section</b><br>General Counsel |
| <b>Position Number</b><br>337-100-5780-XXX              | <b>Effective Date</b>                         |
| <b>Name</b><br>VACANT                                   | <b>Date Prepared</b><br>08/01/2017            |

## General Statement

The Government Operations Agency (GovOps) oversees twelve different state departments, boards and programs: Department of Human Resources, State Personnel Board, Department of General Services, Franchise Tax Board, Department of Tax and Fee Administration, Department of Technology, Public Employees' Retirement System, Teachers' Retirement System, Office of Administrative Law, and Victim Compensation Board, Office of Digital Innovation and Cradle to Career.

The Attorney IV will have a wide variety of subject matters to deal with, providing an environment of challenging, novel and multi-faceted work assignments to further GovOps' goal to improve management and accountability of government programs, increase efficiency and promote better and more coordinated operational decisions.

Under the administrative direction of the GovOps General Counsel (General Counsel), the Attorney IV assists the General Counsel, who is the principal advisor to the GovOps' Secretary on all legal issues. With minimal direction, the Attorney IV performs the more complex and sensitive legal research and services, with broad discretion and independence. The Attorney IV provides coordinated, cohesive legal recommendations to the General Counsel to ensure consistency of policy, practice and vision by GovOps departments. Duties include, but are not limited to, the following:

## Job Functions

[Essential (E) / Marginal (M) Functions]:

- 45% (E)** Assists in the research, review and development of public policy and legal decisions affecting the Franchise Tax Board and the California Department of Tax and Fee Administration. Provide recommendations to the General Counsel based on that research and review. Assists in the review and preparation of formal and informal legal opinions and memoranda, sensitive legal correspondence, Governor's Office Action Requests, and other formal requests for action or input

by the Franchise Tax Board and the California Department of Tax and Fee Administration. Researches and assists in the review of legal cases, recommendations, briefs, legal strategies, memoranda, digests, summaries, reports, and other legal documents, pertaining to pending or anticipated litigation involving the Franchise Tax Board and the California Department of Tax and Fee Administration, which may be adjudicated before boards, commissions, hearing officers, administrative law judges, or trial or appellate courts. The Attorney IV must be able to research, analyze, appraise, and apply legal principles, facts, and precedents to a wide variety of legal problems and situations, and recommend an effective course of action. The Attorney IV may advise and assist GovOps Executive staff members on legal matters, technical questions, and policy issues.

**35% (E)** As directed by the General Counsel, the Attorney IV may consult with the legal counsels of the Franchise Tax Board and the California Department of Tax and Fee Administration on a wide array of high priority, complex, and/or sensitive legal matters involving significant litigation, program, personnel/collective bargaining, fiscal, communications or legislative issues requiring the assessment, analysis or interpretation of statutes, regulations, lower court and appellate court decisions, and administrative actions. The Attorney IV monitors pending litigation that involves or may impact Franchise Tax Board and the California Department of Tax and Fee Administration, confers with the General Counsel on proposed legal strategies and legal policies, and provides direction to Franchise Tax Board and the California Department of Tax and Fee Administration legal counsel at the request of the General Counsel. The Attorney IV will assist with review of pending legislation impacting California Department of Tax and Fee Administration and Franchise Tax Board, attend meetings with or on behalf of the General Counsel with the GovOps Secretary and other Agency Executive staff, department-level Executive staff and their legal counsel, the Governor's Office and other entities in the Administration, as well as with the Legislature.

**10% (E)** Researches and develops legal recommendations on appropriate GovOps actions relative to the California Public Records Act, the Political Reform Act, the Administrative Procedure Act, the Public Contract Code (including implementing State Administrative Manual policies for significant non-competitively bid contracts), the Ralph C. Dills Act and collective bargaining contracts, the Government Code relating to the jurisdiction of GovOps and its Secretary, the implementation of Governor's Executive Orders, and other areas of California and federal public law. Maintains the GovOps Conflict of Interest Code and Statement of Incompatible Activities.

**10% (E)** Works on special projects, including statewide initiatives led by GovOps or its General Counsel.

## **Supervision Received**

The Attorney IV reports directly to and receives assignments from the General Counsel.

## **Supervision Exercised**

None.

## **Required Skills**

Requires active membership in The California State Bar.

## Working Conditions

Ability to operate standard office equipment such as, but not limited to; a personal computer (desk top or lap top models), paper shredder, basic calculator, document system (copier, facsimile, imaging).

## Attendance

Must maintain regular and acceptable attendance at such level as is determined at GovOps' sole discretion. Must be regularly available and willing to work the hours GovOps determines are necessary or desirable to meet its business needs.

## Other Information

The duties of this position are performed indoors. The employee's workstation is located at 915 Capitol Mall, Sacramento, California and is equipped with standard or ergonomic office equipment, as appropriate. Travel may be required to attend meetings or training classes.

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.\*** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Personnel analyst.)

*\*A Reasonable Accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity.*

Duties of this position are subject to change and may be revised as needed or required.

| Employee Signature | Employee Printed Name | Date |
|--------------------|-----------------------|------|
|                    |                       |      |

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

| Supervisor Signature | Supervisor Printed Name | Date |
|----------------------|-------------------------|------|
|                      |                         |      |